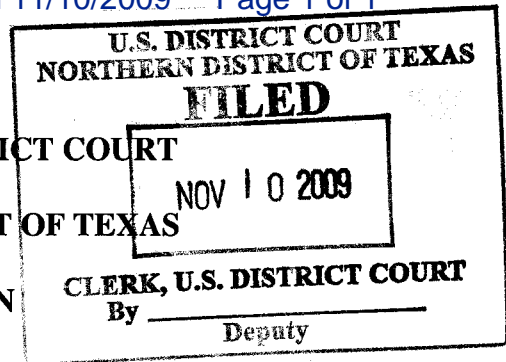


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

AMARILLO DIVISION



JOWELL C. BULLARD, et al.,

PLAINTIFFS,

v.

BWXT PANTEX, L.L.C.,

DEFENDANT.

§
§
§
§
§
§
§

CIVIL ACTION CAUSE NUMBER

2:07-CV-049-J

ORDER GRANTING MOTION FOR LEAVE TO FILE SURREPLY

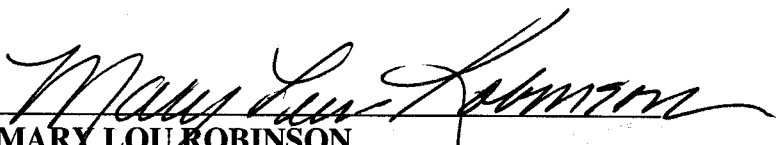
Before the Court is Plaintiffs' motion for attorneys' fees and expense, the response in opposition filed by Defendant, and Plaintiffs' reply to that response. Also before the Court is Defendant's motion, filed October 9, 2009, to strike portions of that reply or, in the alternative, for leave to promptly file a short surreply. No response to Defendant's motion has been filed by Plaintiffs, and the time to do so has expired.

Defendant's motion to strike is denied.

Defendant's motion for leave to file a surreply is granted. Defendant's surreply is to be filed by November 16, 2009, and is not to exceed ten (10) pages in length. Defendant's surreply is to address Plaintiffs' request for leave to take discovery from Defendant on the issue of Defendant's attorneys fees and expenses in defending this lawsuit.

It is SO ORDERED.

Signed this the 9th day of November, 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE